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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WALTER BRADLEY, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

DISCOVER FINANCIAL SERVICES,

Defendant.

Case No. 4:11-cv-5746-YGR

[Assigned to the Hon. Yvonne Gonzalez
Rogers]

**STIPULATION AND [PROPOSED]
ORDER RE DISMISSAL OF
ACTION**

1 Plaintiff Walter Bradley and defendant Discover Financial Services, through
2 their undersigned counsel, hereby stipulate as follows:

3 WHEREAS, there is an action pending before Judge White of the United
4 States District Court for the Northern District of California, captioned *Andrew*
5 *Steinfeld v. Discover Financial Services, et al.*, case number 3:12-cv-01118-JSW
6 (“the *Steinfeld* action”); and

7 WHEREAS, on May 17, 2013, Plaintiffs filed a First Amended Complaint in
8 the *Steinfeld* action, Docket No. 47 (the “FAC”), that added Walter Bradley as a
9 named plaintiff; and

10 WHEREAS, on May 17, 2013, Plaintiffs filed an Unopposed Motion for
11 Preliminary Approval of Settlement Agreement in the *Steinfeld* action, Docket No.
12 48-1 (the “Preliminary Approval Motion”), which requests that the Court enter an
13 order preliminarily approving the class action Settlement Agreement, dated May
14 17, 2013 (the “Settlement Agreement”); and

15 WHEREAS, pursuant to Section III.A. of the Settlement Agreement, the
16 parties agreed this action shall be dismissed;

17 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED,
18 between Plaintiff, by his undersigned counsel, and Defendant, by its undersigned
19 counsel, as follows:

20 1. This action shall be dismissed without prejudice, with each party bearing
21 its own fees and costs.

22 2. If the Court in the *Steinfeld* action does not approve the Settlement, the
23 statute of limitations period applicable to claims made in the *Steinfeld* FAC shall be
24 calculated from the date of the filing of this action, November 30, 2011.

25
26 IT IS SO STIPULATED.
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3 Dated: May 23, 2013

/s/ Mark Ankcorn

4 By: Mark Ankcorn

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10 *Attorneys for Plaintiff Bradley and the Proposed*
11 *Class*

12 Dated: May 23, 2013

13 /s/ Lisa Simonetti

14 By: Lisa Simonetti

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[PROPOSED] ORDER

FOR GOOD CAUSE APPEARING AND PURSUANT TO THE
STIPULATION, IT IS SO ORDERED.

DATED: May __, 2013

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that, on May 23, 2013, copies of the foregoing
STIPULATION AND [PROPOSED] ORDER RE DISMISSAL OF ACTION
were filed electronically and served by U.S. Mail on anyone unable to accept
electronic filing. Notice of this filing will be sent by e-mail to all parties by
operation of the court's electronic filing system or by facsimile to anyone unable to
accept electronic filing as indicated on the Notice of Electronic Filing. Parties may
access this filing through the court's EM/ECF System.

/s/ Daniel M. Hutchinson
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